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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,183	08/06/2001	Gerhard Engeser	GLA-53	9861
20311	7590	10/08/2003		
MUSERLIAN AND LUCAS AND MERCANTI, LLP 475 PARK AVENUE SOUTH NEW YORK, NY 10016			EXAMINER CHANG, RICK KILTAE	
			ART UNIT 3729	PAPER NUMBER
			DATE MAILED: 10/08/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/923,183

Applicant(s)

ENGESER, GERHARD

Examiner

Rick K. Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/6/03 has been entered.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: line 6: amend “(6)” to “(9)”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al (US 5,711,689) in view of Lockard (US 4,682,840).

Newman discloses in Fig. 7 connecting 102, which is pressed onto the wire end, to 72, which is used to plug the contact piece to the connecting piece. Fig. 6 shows two connecting pieces and Fig. 4 shows one wire 14 to two connecting pieces in Fig. 6. 72 has a head that

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prevents 20 from coming off. Fig. 7 shows claim 9. Fig. 7 shows the contact piece (102) matched to the connecting piece (the screw).

Newman fails to disclose laser welding and encapsulating after welding.

Lockard discloses laser welding (col. 6, line 37) and encapsulating after welding (Fig. 16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newman by laser welding in place of a screw, as taught by Lockard, for the purpose of preventing the wires from coming off the leads prematurely and protect from environment.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al (US 5,711,689)/Lockard (US 4,682,840) as applied to claim 1 above, and further in view of Pattanaik et al (US 6,046,882).

Newman/Lockard fail to disclose monitoring the positioning the prepared wire to the piece, prior to welding.

Pattanaik discloses monitoring the positioning the prepared wire to the piece, prior to welding (col. 3, lines 48-52 and col. 5, lines 29-36) thereby ensuring the welding is performed to the proper pieces to ensure the components will perform according to the specification.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newman/Lockard by monitoring the positioning the prepared wire to the piece, prior to welding, as taught by Pattanaik, for the purpose of ensuring the welding is performed to the proper pieces to ensure the components will perform according to the specification.

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6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al (US 5,711,689)/Lockard (US 4,682,840) as applied to claims 1 and 7 above, and further in view of Mattes (US 6,143,998).

Newman/Lockard fail to disclose simultaneously connecting two wires to the connecting pieces.

Mattes discloses simultaneously laser welding two areas by splitting the laser beams into two components (col. 2, lines 49-53) thereby decreasing production time.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newman/Lockard by simultaneously connecting two wires to the connecting pieces by splitting the laser beams into two components, as taught by Mattes, for the purpose of decreasing production time.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al (US 5,711,689)/Lockard (US 4,682,840) as applied to claims 1 and 7 above, and further in view of Pattanaik et al (US 6,046,882).

Newman/Lockard fail to disclose monitoring the positioning the prepared wire to the piece, prior to welding.

Pattanaik discloses monitoring the positioning the prepared wire to the piece, prior to welding (col. 3, lines 48-52 and col. 5, lines 29-36) thereby ensuring the welding is performed to the proper pieces to ensure the components will perform according to the specification.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newman/Lockard by monitoring the positioning the prepared wire to the piece, prior to welding, as taught by Pattanaik, for the purpose of ensuring the welding is

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performed to the proper pieces to ensure the components will perform according to the specification.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al (US 5,711,689)/Lockard (US 4,682,840) as applied to claims 1 and 2 above, and further in view of Seeberger (US 6,240,618).

Newman/Lockard fail to disclose performing by computer-control in a fully automatic manner.

Seeberger discloses performing fully automatic manner (col. 4, lines 31-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newman/Lockard by performing fully automatic manner, as taught by Seeberger, for the purpose of saving labor cost.

#### **Conclusion**

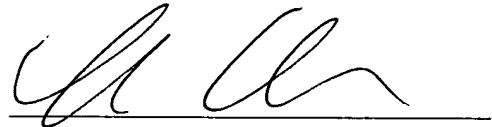
9. **Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity. Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.**

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (703) 308-4784. The examiner can normally be reached on 5:30 AM to 1:30 PM, Monday through Thursday.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

A handwritten signature in black ink, appearing to be 'Richard Chang', written over a horizontal line.

**RICHARD CHANG  
PRIMARY EXAMINER**

RC  
October 7, 2003